

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 22 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ARTURO CONTRERAS SOTO,

Defendant - Appellant.

No. 25-2324

D.C. No.

4:24-cr-02929-JGZ-JR-1

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Jennifer G. Zipps, Chief District Judge, Presiding

Submitted September 17, 2026
Phoenix, Arizona

Before: M. SMITH and TUNG, Circuit Judges, and DIMKE, District Judge.**

This case arises out of Defendant Arturo Contreras Soto's conviction for possession of a firearm by a prohibited person in violation of 18 U.S.C. § 922(g). Soto appeals the district court's denial of his motion to suppress the firearm that was found during his arrest. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The Honorable Mary K. Dimke, United States District Judge for the Eastern District of Washington, sitting by designation.

affirm.

1. We review the district court’s denial of a motion to suppress de novo, but the underlying factual findings for clear error. *United States v. Torres*, 828 F.3d 1113, 1118 (9th Cir. 2016). The “district court’s factual finding is clearly erroneous if it is illogical, implausible, or without support in inferences that may be drawn from the facts in the record.” *Porretti v. Dzurenda*, 11 F.4th 1037, 1047 (9th Cir. 2021) (internal quotation marks omitted).

2. The district court did not err in denying Soto’s motion to suppress. While the Fourth Amendment normally requires a warrant for law enforcement officers to conduct a search, “the inventory search constitutes a well-defined exception to the warrant requirement.” *Illinois v. Lafayette*, 462 U.S. 640, 643 (1983). The purposes of an inventory search are to “protect an owner’s property while it is in the custody of the police, to insure against claims of lost, stolen, or vandalized property, and to guard the police from danger.” *Florida v. Wells*, 495 U.S. 1, 4 (1990) (internal quotation marks omitted).

A search only qualifies for the inventory search exception if it “conform[s] to a standardized and established local procedure” and is not solely motivated by an investigatory purpose. *United States v. Bowhay*, 992 F.2d 229, 230 (9th Cir. 1993). Searches motivated by dual purposes, i.e., both investigatory and administrative, nevertheless qualify for the exception. *See id.* at 231; *see also United States v.*

Magdirila, 962 F.3d 1152, 1157 (9th Cir. 2020). Here, while the government bears the burden of showing that the search was conducted in line with established procedures, *Torres*, 828 F.3d at 1118, Soto must “produce[] evidence that demonstrates the officers would not have searched [his bag] but for an impermissible motive” in order for the search to be deemed invalid, *United States v. Johnson*, 889 F.3d 1120, 1126 (9th Cir. 2018).

The government has met its burden. Soto has not. First, Soto does not contest the district court’s conclusion that the “officers had lawful custody of the satchel.” Next, Tucson Police Department’s (TPD) search policies qualify as standardized procedures for inventory search exception purposes. TPD General Operating Procedure 2162.1 states that “[a]ll persons taken into lawful custody and transported shall be searched” General Operating Procedure 2162.2 further explains that “[h]and carried items, such as purses, briefcases, knapsacks, etc., which are the prisoner’s property shall likewise be searched for weapons if they are to be transported in the police vehicle Officers shall complete a Transport Log . . . for all transports (e.g., public assists, witnesses, arrestees, suspects, etc.).” Soto’s argument that the procedures reference searches incident to an arrest and not the phrase “inventory search” fails because inventory search procedures need not be written at all, let alone include any specific phrasing. *See Snitko v. United States*, 90 F.4th 1250, 1261 (9th Cir. 2024). Instead, they need only create “a standardized and

established local procedure.” *Bowhay*, 992 F.2d at 230. And Soto fails to effectively counter the government’s evidence that the search procedures were followed here.¹

Finally, Soto has failed to provide evidence that the search here was conducted solely for investigative purposes. Indeed, Soto fails to address this portion of the inquiry beyond a handful of conclusory statements. Instead, as the district court explained, “TPD’s Arrest Policies required the officers to search Soto’s hand-carried items for weapons prior to transporting him to jail for booking. Therefore, the satchel would have been searched regardless of Officer Still’s subjective investigatory purposes.” Furthermore, Officer Still was motivated by a desire to ensure the officers’ safety during transport, which is a permissible reason for an inventory search. *See Wells*, 495 U.S. at 4.²

AFFIRMED.

¹ Though Soto also seems to argue that the inventory search was deficient because it was completed, in part, upon arrival at the station, he fails to provide any caselaw or TPD procedure that requires an inventory search to be wholly completed in the field.

² Soto also addresses the exception for searches incident to a lawful arrest, but that is a wholly different inquiry than the inventory search exception at issue here.